

Ordinance 101

Maryville made headlines, but not without some headaches first

by Jamie Baker

The question that we are always asked is “how did you do it? Or what was your process in getting this passed? I’ve decided people don’t want to hear the real story because it’s more like an Epic series than a fast action flick. People want to hear about the glamour of city politics, deals made by decision makers and the high drama surrounding the tobacco industry. Each of those items is a part of the story but only at the tip of this iceberg.

Of course each community is different, and societal norms change. Therefore the process is different for everyone. The key to our success, I still believe, was convincing the community that a smoke-free restaurant was the “right” issue, that it was the right thing to do. Obviously to get this accomplished we had to convince the decision makers (city council members and mayor), but first we had to convince and educate those with the real power – the people and restaurant owners of Maryville. Five years ago, we started an educational campaign

called “Breathe Easy” to build support for Clean Indoor Air. We took every possible opportunity (paid media and advertising, smoke-free dining and entertainment guides, earned media honoring each restaurant, etc.) to teach and educate people of all ages, in various civic

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—Jamie Baker

and business organizations about the importance of breathing clean air.

Five years of work and small victories may not seem very dramatic, but it got us where we are today. I’ve collected my thoughts and come up with some tips that may help those of you who, like us, aren’t even on first base yet, as well as others who may be well on your way to a healthier future for your community.

Tip #1: Whether you have 5 or 50 people on your coalition, always look for “partner” organizations to help get the word out about your issue. These partners will be key allies when it comes time to making phone calls, writing letters to the editor, giving testimony at city council meetings, etc.

Tip #2: If you want to know how it is done then read the book. The ANR (Americans for Nonsmoker’s Rights) *Back to Basics* is a good one for ideas and strategy (www.no-smoke.org). The Ordinance Guide (DHSS) Stan Cowan put together (available on the TUP website) is also a valuable resource to go to while going through this process.

Tip #3: There is safety in numbers. Teri Harr, our coalition chair, and I found ourselves in a very uncomfortable situation on the night of the first reading of the ordinance (May 12, 2003), when we were the only members to show up. Make sure your supporters know about and are encouraged to

(continued, pg. 2)

Inside...

School Health Policy Workshop
p. 2

Worry-Free Lobbying for Nonprofits
pg. 3

Point , Counterpoint—
timing letters to the editor
pg. 3

Lessons Learned—
St. Louis gets an ordinance
pg. 4

Upcoming

September 24—Kansas City
“Strengthening School Tobacco Policies”
(article on pg. 2)
1-866-726-9926

September 9-10—Kansas City, St. Louis
“Worry-free Lobbying for Nonprofits” (article on pg. 3)

October to be announced—Columbia
“Media Advocacy Workshop”
Hands-on, practical experience in interview skills, message development, and the rudiments of earning media coverage.
1-866-726-9926

Lessons Learned

(continued from pg. 1)

attend city council meetings.

Tip #4: Be patient. Slow and steady wins this particular race. Although it seemed like the Council would never move on this issue and we went to nearly every meeting from November to June, it paid off. Not rushing through the process allowed us to really educate the council on this issue.

Tip #5: Although there is a basic model or steps that need to be taken to pass an ordinance, each community is unique. Do your homework early in the game so you aren't trying to catch up at the end. Study the political process, know what it takes to pass legislation, do a political analysis on the decision makers, determine where and with whom you have support, consider who has power over the decision makers (constituents, civic groups, businesses, family, their doctor, minister, etc.) then work to get their support, too. Understand the process used to reverse local legislation. Review work or other legislation passed or denied by the decision makers to look for similarities.

Tip #6: Before starting the process, take an inventory of your support. What is your capacity for people who will testify for your issues, write letters of support, send e-mail, make phone calls, influence the decision

makers, educate their friends and family. Consider the same support for the opposition and be prepared to minimize their efforts.

Tip #7: Media advocacy is a powerful tool – know how to use it to your advantage and how not to let it backfire to help the opposition.

Tip #8: Getting the vote from the decision makers is good, but truly educating them on your issue so it becomes their issue is even better. When we found ourselves outnumbered by the opposition at Council meetings, it was our councilmembers who helped argue for our issue.

Tip #9: Prepare a sustained earned media plan to continue after the ordinance is passed. The coalition worked so hard to get to the point of ordinance passage. However, after talking to Bonson Frick with ANR he shared with me that the hard work doesn't end with the ordinance. It's important to use the media to keep a positive public opinion of clean air. Pitch a variety of feature stories to your local media using quotes from local business owners, community members, and people dining in restaurants who couldn't before due to health problems and secondhand smoke. Write letters to the editor, and buy ads listing the people and organizations that support the ordinance. Make out a schedule of when articles/letters are printed so that you can chart media support and offset long lapses.

School Health Policy Workshop September 30, 2003; 10:00 am to 3:00 pm, Kansas City, Missouri

The Missouri Department of Health and Senior Services' Tobacco Use Prevention Program (TUP), the Kansas City Health Department, and Tobacco Free KC Coalition will co-sponsor a one-day workshop on how to enhance school policies that address tobacco use prevention and other health issues. The workshop presenter will be Jane Pritzel of the Centers for Disease Control and Prevention, Division of Adolescent and School Health. The workshop will be held in the Kansas City Health Department Biery Auditorium located at 2400 Troost.

Registration information will be available after August 15 on the TUP Program website at www.dhss.state.mo.us/SmokingAndTobacco, or by contacting Pat Flack of the Kansas City Health Department at 816-513-6304 or e-mail at Patricia_Flack@kcmo.org.

Tip #10: Prepare an implementation and enforcement plan, ideally before the ordinance or policy goes into effect. We kind of got caught on this one. The ordinance went into effect immediately and we did not have a plan for implementation and enforcement. The "day after" Teri Harr and I both panicked a little. Although the media are out of our control we had tried to keep bad press to a minimum even after the ordinance had passed. We were concerned that we did not have answers about implementation/enforcement and were stressing a bit, but the restaurant people were probably even more confused/concerned. Restaurants started calling at 8:00 a.m. June 10 looking for advisement. Later that

week we met with the Director of Public Safety (Police), City Attorney and City Manager to work through a plan for enforcement. The ordinance became effective immediately. The coalition offered to order door signs and create educational packets for all restaurants. The packets contained a cover letter on Public Safety letterhead with tips on how to comply and highlights of the ordinance, a signed copy of the ordinance, and Breathe Easy decals to use until the new decals arrived. The packets were hand delivered to each restaurant by a uniformed police officer. This, from what I understand, was effective for the 1 or 2 restaurants that had not intended to comply. ###

Going Global—

Far-flung coverage of tobacco issues

Give smoking in films an X-certificate' say doctors

by Jenny Booth
United Kingdom—

Published in the *Telegraph*, a study from *The Lancet* that finds children are nearly three times more likely to try cigarettes if they regularly watch films showing actors smoking.

The findings prompted calls from the British Medical Association and Cancer Research UK for curbs on smoking scenes and for films with such scenes to carry adult classifications.

Some cigarette brands 'addictive like crack'

by Billy Briggs
United Kingdom—

A report published in the *Daily Record* cites a new study from the Oregon Health and Science University, which finds that some cigarette brands contain varying amounts of a "super-addictive freebase nicotine." According to the study, freebase nicotine vaporises and passes so rapidly through the lungs into the bloodstream that it is comparable to crack cocaine.

The report listed the top five most addictive cigarette brands according to percentage of freebase nicotine: American Spirit (36%), Marlboro (9.6%), Gauloises Blondes (7.5%), Winston (6.2%), and Camel (2.7%).

Worry-Free Lobbying for Nonprofits

The Missouri Partnership on Smoking or Health and the Alliance for Justice will present "Worry Free Advocacy" workshops in Kansas City on September 9 and in St. Louis on September 10. These one-day workshops will cover the rules for lobbying and election-related activity by community coalitions and nonprofit organizations. A registration fee of \$30 includes all workshop materials, two Alliance for Justice publications: Being A Player and Worry-Free Lobbying for Nonprofits, and meals.

To register online with a major credit card, visit www.allianceforjustice.org/nonprofitworryfree.html and scroll down the page to select Kansas City or St. Louis. To register and pay by check, call 1-866-NPLOBBY (1-866-675-6229). For additional information, visit www.smokingorhealth.org or call (573) 634-5165.

Web Aid—

TUP Online:

www.dhss.state.mo.us/SmokingAndTobacco

Americans for Nonsmoker's Rights

(ANR): www.no-smoke.org

Point, Counterpoint . . .

Negative coverage is answered in Springfield

A reader needed to go no further than the first Associated Press (AP) headline coming out of post-ordinance Springfield to get a bad feeling about the coverage of the restaurant smoking ban there: "Smoking ban hurts eateries in Springfield," it screamed from the pages of newspapers across the state.

The only positive quote came from a guy who had started a restaurant marketed entirely to smokers: "We're only four weeks into it (the ordinance)," he said, "I think they should give it more time."

Tepid support at best, but it's a good point. And this is exactly the point when local coalitions should be armed and ready—armed with letters to the editor and ready for the counterattacks that are inevitable (see "tip #9 in Jamie Baker's article, pg. 1). The responses should come not just in Springfield, but in every community where the local press picked up this story.

One such letter-to-the-editor that was published in the August 4 edition of the *Springfield News Leader* effectively countered the AP coverage. This letter wasn't full of statistics or scientific facts—while important, those arguments are best left to scientists and public health officials. Instead, the writer, K.M. Lamborn, of Branson, put it simply and from the heart with lines such as:

"It is such a relief to be able to breathe clean air in most Springfield restaurants, and not have a meal ruined by the noxious fumes of stinking cigarettes and a few inconsiderate, self-centered smokers."

This letter is a fine example of how a letter to the editor, written by a member of the community, should read. We need to see more of them in Missouri. The silent majority needs encouragement to not be so silent.

Thanks to Delores Joyce for sending letters written to the News Leader.

Lessons Learned in Municipal Buildings Campaign

By Jeanette Mott Oxford

On July 29 Mayor Francis G. Slay signed Board Bill 2 into law, making all buildings owned, leased or operated by the City of St. Louis smokefree, with the exception of Lambert International Airport that has designated smoking rooms. The bill had been perfected and passed in floor action by the St. Louis Board of Aldermen on July 18. The victory is a small step in protecting the public's health from secondhand smoke, yet a very important victory for the many City employees who will now have a healthier work environment, as well as for citizens who enter city government buildings seeking essential services.

Alderman Freeman Bosley Sr. had raised the issue of smoking in city buildings for years without success. What were the keys to winning this time, and what lessons can local campaigns learn from the efforts of the coalition of clean air advocates who worked with Alderman Bosley to secure the bills passage?

1) **Education matters.** The Greater St. Louis Coalition of Tobacco-Free Missouri prepared periodic one page "Tobacco News Flash" updates beginning in September 2002, mailing them to Board of Aldermen members, and interested citizens. Topics for the series, printed on brightly

colored paper, included: the toll of tobacco on Missouri citizens, scientific facts about secondhand smoke and smoking-related illness, the health advantages of quitting, workplace benefits of smokefree policies and the facts about ventilation.

2) **Champions matter.** The bill would not be reality without Alderman Bosley's persistence, and we thank him for continuing to raise the issue year after year. But there were two other elected officials who acted as champions for the cause as well. Newly elected Board President Jim Shrewsbury, longtime alderman for Ward 16, met with our coalition on April 14, offering advice for passing a bill through the Board's committee and floor processes. Alderman Gregory J. Carter, chair of the Health and Human Services Committee that heard the bill, helped coalition members understand the concerns of the committee that would have to be met to secure an adequate number of votes.

Carter's endorsement of the bill, adding his name as a co-sponsor on July 1 during a committee hearing, was a turning point for the legislation.

3) **Teamwork and grassroots organizing matter.** The bill passed on July 18 was much improved over the version filed as Board Bill 194 in 2002. Coalition members met

repeatedly with Alderman Bosley and an attorney for the Board of Aldermen to incorporate language from the Americans for Non-Smokers Rights model ordinance. Research was done regarding other municipalities to answer concerns alderpersons expressed about jails, firehouses and other buildings. Advocates from several Missouri Partnership on Smoking or Health member organizations offered testimony at key moments in the process, and partners with grassroots networks mobilized members to call or write Board members before the vote, later urging Mayor Slay to sign the bill.

4) **Compromise and incremental steps may be necessary.** Our coalition did not want to exempt Lambert International Airport from the bill, but it became

apparent that the airport issue would either be a deal-breaker or slow down adoption of the ordinance by months or even years. We agreed that the protection of city workers and visitors to government buildings made the ordinance worth winning without the inclusion of the airport, and we formed a plan for pursuing voluntary compliance on the part of Lambert officials. Likewise, city vehicles were not included, but may be the subject of a future amendment.

Our coalition members look forward to continued work together in order to ensure that ALL workers have clean indoor air protections. We urge the formation of other local coalitions to pursue this worthwhile mission.

Jeanette Mott Oxford is Grassroots Coordinator for the Missouri Partnership on Smoking or Health (MPSH)



On July 29, St. Louis Mayor Francis Slay (seated) signed Board Bill 2 into law. Community members pictured with him are (l-r) Jeanette Mott Oxford, Missouri Partnership on Smoking or Health; Viviane McKay, St. Louis County Department of Health; Pat Lindsey, Tobacco Free Missouri; Gordon Dymowski, National Council on Alcoholism and Drug Abuse; Maryann Coletti, Siteman Cancer Center; and, Pastor Beulah Brandon, Trinity/CHAMPS.